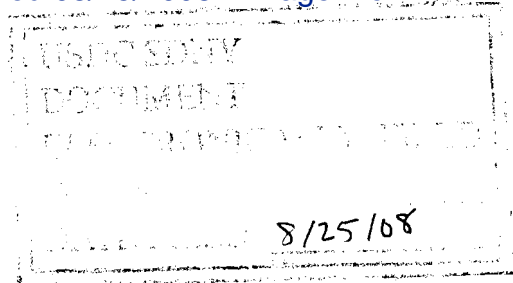


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



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JOSEPH BONGIORNO :

Petitioner, :

- v. - :

UNITED STATES OF AMERICA, :

Respondent. :

-----X


ORDER

07 cv 9287 (SHS)

matter *dated Aug 25, 2008*
IT IS HEREBY ORDERED that, with the consent of the Government, Petitioner's

motion pursuant to 28 U.S.C. § 2255 is granted, and Petitioner's conviction is hereby vacated.

Dated: New York, New York
August 25, 2008



HONORABLE SIDNEY H. STEIN
UNITED STATES DISTRICT JUDGE